

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

(1) JAMIE MEYER,

Plaintiff,

v.

(2) ALLSTATE FIRE & CASUALTY  
INSURANCE COMPANY,

Defendant.

Case No. CIV-13-422-R

Removed From  
District Court of Oklahoma County  
Case No. CJ-2013-1796

**NOTICE OF REMOVAL**

Defendant, Allstate Fire & Casualty Insurance Company (“Defendant”), respectfully submits its Notice of Removal of the above-styled action to the United States District Court for the Western District of Oklahoma, under diversity jurisdiction. This action was filed in the District Court of Oklahoma County, Oklahoma, and docketed as case number CJ-2013-1796. Defendant’s removal is timely as it was served with the Petition on April 10, 2013. Copies of all pleadings and process filed in this action to-date are attached as Exhibits 1 and 2. A copy of the Docket Sheet from the State court action is also attached as Exhibit 3.

Subject matter jurisdiction exists under 28 U.S.C. § 1332 between Plaintiff and Defendant. First, the parties are of diverse citizenship. Plaintiff is a citizen of the State of Oklahoma. (Ex. 1, ¶ 2.) Defendant is an Illinois corporation with its principal place of business in Illinois.

Second, the amount in controversy, exclusive of interests and costs, is in excess of \$75,000.00. “The amount in controversy is ordinarily determined by the allegations of the

complaint....” *Laughlin v. Kmart Corp.*, 50 F.3d 871, 873 (10th Cir. 1995). Here, the Petition clearly demonstrates that Plaintiff seeks more than \$75,000.00 in actual and punitive damages:

As a result thereof, **Plaintiff is entitled to actual and punitive damages.**

\*\*\*

Plaintiff, Jamie Meyer, has been damaged in the sum **in excess of Seventy-Five Thousand and No/100 Dollars** (\$75,000.00) for said injuries.

WHEREFORE, the Plaintiff, Jamie Meyer, prays for judgment against the Defendant, Allstate Fire and Casualty Insurance Company, **for a total sum in excess of Seventy-Five Thousand and No/100 Dollars** (\$75,000.00), costs of this action and for such other and further relief as the Court deems just and proper.

(Ex. 1, ¶¶ 9, 11 and Prayer For Relief) (emphasis added). Thus, the statute’s jurisdictional amount is met.

The United States District Court for the Western District of Oklahoma clearly has original jurisdiction of this matter under the diversity statute and Defendant is entitled to have this action removed to federal court. Defendant respectfully requests that the Court assume original jurisdiction of this cause and enter such orders and judgments as may be necessary to protect its jurisdiction as justice may require.

Respectfully submitted,

s/ RONALD L. WALKER  
RONALD L. WALKER, OBA #9295  
JERRY D. NOBLIN, JR. OBA #20296  
TOMLINSON · RUST · MCKINSTRY · GRABLE  
Leadership Square, Suite 450  
211 North Robinson Ave.  
Oklahoma City, Oklahoma 73102  
Telephone: 405/606.3370  
Facsimile: 877/917.1559  
[ronw@TRMGlaw.com](mailto:ronw@TRMGlaw.com)  
[jerryn@TRMGlaw.com](mailto:jerryn@TRMGlaw.com)  
*Attorneys for Defendant Allstate Fire and  
Casualty Insurance Company*

**CERTIFICATE OF SERVICE**

☒ I hereby certify that on the 26th day of April 2013, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrant:

Bryan G. Garrett, OBA # 17866  
HOLLOWAY DOBSON & BACHMAN  
One Leadership Square, Suite 900  
211 North Robinson  
Oklahoma City, OK 73102  
Telephone: (405) 235-8593  
Facsimile: (405) 235-1707  
[bgarrett@hollowaydobson.com](mailto:bgarrett@hollowaydobson.com)  
*Attorney for Plaintiff*

s/ RONALD L. WALKER